



Howard County Council

George Howard Building
3430 Courthouse Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

Courtney Watson, Chairperson
District 1
Mary Kay Sigaty, Vice Chairperson
District 4
Calvin Ball
District 2
Greg Fox
District 5
Jennifer Terrasa
District 3

Minutes (approved)
Legislative Work Session
March 22, 2010

The meeting was called to order by Chairperson Watson at 4:32 pm in the Board Room, Board of Education, 10910 Route 108, Ellicott City.

Members present: Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa and Courtney Watson.

Discussion: The members discussed the following items related to the following bills:

Council Bill No. 10-2010 - Amending the General Plan 2000 to adopt the Howard County Water Resources Element in accordance with State law; and generally relating to the General Plan 2000

Mina Hisenrath summarized the history of the Water Resource Element, from the adoption of House Bill 1141 by the General Assembly in 2006, the preparation of the Howard County Plan in 2009, review by the Environmental Sustainability Board, internal reviews, public outreach and revisions recommended by the Planning Board and Maryland Planning. She also discussed implementation options, including the capital budget, regulatory changes and public participation. Jim Irvin explained that nutrient reduction will be considered for land use intensifications or redevelopments, including Doughoregan Manor. Ms. Hilsenrath indicated that the Water Resource Element considers redevelopment of the Village Centers and Downtown Columbia. The Administration will submit an amendment reflecting changes to the Doughoregan proposal.

Council Bill No. 9-2010 – Amending the General Plan 2000 by adjusting the Planned Service Area boundary of the Master Plan for Water and Sewerage to include approximately 221.1 acres of the historic Doughoregan property located south of Frederick Road (Md Route 144) and just west of the Kiwanis-Wallis Park, in Ellicott City, Howard County, Maryland; providing that certain expansions will be null and void unless certain conditions are met; and generally relating to the General Plan 2000

Marsha McLaughlin summarized the applicable General Plan criteria as set forth in the DPZ staff report. Mr. Irvin explained the wastewater options, including reuse of reclaimed water and drip irrigation. The matter will be covered in the Developer's Rights and Responsibility Agreement. Mr. Irwin also described the public process for implementation of the selected option. Ned Tillman compared the sustainability of the proposal to the alternative of spreading development across the whole property. Joel Gallihue provided an overview of the school impacts. In brief, the area is assigned to schools to the west, where there is capacity, rather than to the east. William Goddard stated that the Fire Department does not require another access other than to MD Route 144, which will be a dual access. Ms. McLaughlin indicated that other developments with a greater number of

units are served by a single access. Mr. Irvin described the road abandonment process but saw no reason to incur the costs or to relocate driveway connections since Burnside Road is already terminated. Joy Levy gave an overview of the surrounding agricultural preservation acreage. John Byrd described the need for additional recreational acreage. Paul Johnson gave an overview of the development process, and why it is not conditional zoning. Ms. McLaughlin described some of the earlier preservation discussions among Federal, State, local and community interests. She also described the purposes and limitations of various types of easements.

Council Bill No. 6-2010 (ZRA-120) – Introduced by: The Chair at the request of Cadogan Properties, LLC - Amending the Howard County Zoning Regulations' BR (Business: Rural) Zoning District to allow certain properties in the Marriottsville (Water Only) Service Area of the Howard County Water and Sewerage Master Plan to be eligible for the BR Zoning District; and generally relating to the BR Zoning District

Ms. McLaughlin explained that the purpose is to reverse the unintended consequence that properties in the Marriottsville (Water Only) Service Area are ineligible for the BR floating zone. The members expressed concern that a specific property has not been identified and suggested that the issue should be taken up as part of the General Plan process.

Council Bill No. 7-2010 (ZRA-122) – Introduced by: The Chair at the request of Forest Venture II, LLC - Amending the Howard County Zoning Regulations to permit residential dwelling units in the B-1 and B-2 zoning districts to comprise up to a maximum of 50 percent of the floor area of a structure provided the dwelling units are located above the first floor level; and generally relating to residential uses in the B-1 and B-2 zoning districts

Mr. Johnson explained that the Planning Board recommendation for conditional use approval needs to be submitted as an amendment, which would not be considered to be substantive. The members will consider whether to prefile an amendment.

Council Bill No. 8-2010 (ZRA-123) – Introduced by: The Chair at the request of Forest Venture II, LLC - Amending the Howard County Zoning Regulations to allow the Zoning Board to approve variances to the bulk regulations in conjunction with site plan zoning petitions; and generally relating to Zoning Board consideration of site plan zoning petitions

Mr. Johnson stated that variance requests can be decided independently from a site plan petition for a conditional use and that the property can be posted for the variance. Although variances can be limited to a percentage, Ms. McLaughlin suggested deciding the requests on a case-by-case basis, the same procedure followed by the Hearing Examiner for variances. The members will consider whether to prefile an amendment.

The meeting was adjourned at 7:20 pm.